## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA LAS VEGAS, NEVADA

UNITED STATES OF AMERICA,	)	CASE NO. 2:15-cv-01743-MMD-NJK
	)	
Plaintiff,	)	
	)	MINUTES OF PROCEEDINGS
vs.	)	
	)	
400 ACRES OF LAND, more or less,	)	
situate in Lincoln County, State of Nevada;	)	
and JESSIE J. COX, et al.,	)	DATE: 2/10/2020
	)	
Defendants.	)	

LAND COMMISSIONERS PRESENT: <u>The Honorable Michael L. Douglas, retired Nevada Supreme Court Justice</u>; <u>The Honorable Peggy A. Leen, retired U.S. Magistrate Judge</u>; and The Honorable Philip M. Pro, retired U.S. District Judge

Deputy Clerk: Katie Lynn Ogden

Court Reporter: Kimberly Farkas

Counsel for Plaintiff: Kermitt Waters, James Leavitt, Autumn Waters and Michael Schneider

Counsel for Defendants: Anthony Gentner, Mark Elmer, Eugene Hansen and Reade Wilson

Representatives present on behalf of Plaintiff: Colonel Christopher Zuhlke and Air Force

General Counsel Grant L. Kratz

Representatives present on behalf of Landowners: Barbara Manning and Joe Sheahan

## PROCEEDINGS: BENCH TRIAL - DAY 3

9:15 a.m. Court reconvenes for day three of the bench trial.

IT IS ORDERED that Defendants' request to invoke the exclusionary rule is GRANTED with respect to fact witnesses and DENIED with respect to rebuttal witnesses.

**Joseph Richard Sheahan**, called on behalf of Defendants, is sworn and testifies under direct examination by Mr. Leavitt.

Pursuant to the parties' stipulation, IT IS ORDERED that **Defendants' Exhibits 7.8(b), 7.8(c) and 7.15 (b)** are admitted into evidence.

11:00 a.m. - The Court stands at recess for the morning break.

11:11 a.m. - The Court reconvenes. Mr. Sheahan, previously sworn, resumes testimony under direct examination by Mr. Leavitt.

12:23 p.m. The Court stands at recess for the lunch break.

1:30 p.m. The Court reconvenes. Mr. Sheahan, previously sworn, testifies under cross examination by Mr. Hansen and redirect examination by Mr. Leavitt Plaintiff's Exhibits 17, 18, 20, 39, 42, 41, 574, 245, 281 and 525 are admitted into evidence.

3:14 p.m. The Court stands at recess for the afternoon break.

4:14 p.m. The Court reconvenes. Defendants' witness Terry Ochal deposition is published.

The Court stands at recess for the evening break and will reconvene the next morning.

IT IS ORDERED that bench trial is continued to Tuesday, February 11, 2020, at 9:00 a.m. before the appointed Land Commissioners in Las Vegas Courtroom 6B.

DEBRA K. KEMPI, CLERK OF COURT	
By:	/s/
	Katie Lynn Ogden, Deputy Clerk